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**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

end

§1 - C.2C:52-32.1

§3 - C.39:5-42.1

§4 - Note

P.L.2015, CHAPTER 126, *approved November 9, 2015*

Assembly Committee Substitute for

Assembly, No. 1662

1 **AN ACT** concerning certain victims of identity theft, amending  
2 R.S.39:5-42 and supplementing Title 2C of the New Jersey  
3 Statutes and Title 39 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7

8 1. (New section) a. Notwithstanding any other provision of  
9 law to the contrary, a person who reasonably believes that he is the  
10 victim of identity theft based on the commission of an offense under  
11 N.J.S.2C:21-1, section 1 of P.L.1983, c.565 (2C:21-2.1),  
12 N.J.S.2C:21-17, or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2  
13 or C.2C:21-17.3) may petition the court where the charge is pending  
14 or where the conviction was entered for a judicial determination of  
15 the victim's factual innocence, when:

16 (1) the perpetrator of the identity theft was arrested for, cited for,  
17 or convicted of a crime, offense, or violation of law under the  
18 victim's identity;

19 (2) a complaint for a crime, offense, or violation has been filed  
20 against the perpetrator in the victim's name; or

21 (3) the victim's identity has been mistakenly associated with a  
22 record of conviction.

23 If a charge is pending, the prosecutor may petition the court for a  
24 determination of factual innocence on behalf of the victim. Any  
25 judicial determination of factual innocence made pursuant to this  
26 section may be determined, with or without a hearing, upon  
27 declarations, affidavits, police reports, or other material, relevant,  
28 and reliable information submitted by the parties or ordered to be  
29 part of the record by the court. Where the court determines that the  
30 petition is meritorious and that there is no reasonable cause to  
31 believe that the victim committed the crime, offense, or violation  
32 for which the perpetrator of the identity theft was arrested, cited,  
33 convicted, or subject to a complaint for a crime, offense, or  
34 violation in the victim's name, or that the victim's identity has been  
35 mistakenly associated with a record of conviction, the court shall  
36 order that the victim's name and associated personal identifying  
37 information contained in the records, files, and indexes of relevant  
38 courts, law enforcement agencies, correctional institutions, and

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 administrative agencies which are accessible to the public be  
2 deleted, sealed, labeled to show that such data is impersonated and  
3 does not reflect the defendant's identity, or corrected by inserting in  
4 the records the name of the perpetrator, if known or ascertainable,  
5 in lieu of the victim's name.

6 The court shall distribute such order or other appropriate notice  
7 to the prosecutor and administrative agencies to which a record of  
8 conviction may have been transmitted. The prosecutor shall  
9 distribute the order or notice to the relevant law enforcement  
10 agencies and correctional institutions so that they may comply with  
11 its provisions. The court shall provide the victim with a copy of the  
12 order or other appropriate documentation to aid in the resolution of  
13 any disabilities that may result from the arrest, charge, or  
14 conviction.

15 b. A victim seeking relief under this section shall not be required  
16 to comply with the requirements of chapter 52 of Title 2C of the  
17 New Jersey Statutes, but shall proceed in accordance with the rules  
18 and procedures promulgated by the Supreme Court.

19 c. A court that determines a victim's factual innocence pursuant  
20 to this section may at any time vacate that determination if the  
21 petition, or information submitted in support of the petition,  
22 contains material misrepresentation or fraud. If the court vacates  
23 such a determination, it shall issue an order rescinding any orders  
24 made pursuant to this section.

25 d. Any relief granted pursuant to this section shall not affect a  
26 victim's eligibility to apply for an expungement for any other  
27 offense pursuant to chapter 52 of Title 2C of the New Jersey  
28 Statutes.

29 e. Notwithstanding any other provision of law to the contrary, a  
30 petition for relief made pursuant to the provisions of this section  
31 shall not require the payment of any fee by the victim.

32 f. The Supreme Court may adopt rules and the Administrative  
33 Director of the Courts may issue directives to effectuate the  
34 purposes of this act.

35 g. The Attorney General may issue guidelines which may be  
36 necessary concerning procedures for law enforcement agencies or  
37 any other agencies in the criminal justice system to effectuate the  
38 purposes of this act.

39

40 2. R.S.39:5-42 is amended to read as follows:

41 39:5-42. a. Every judge **【or magistrate】** shall make a report, in  
42 such form as the **【director】** Chief Administrator of the Motor  
43 Vehicle Commission may require, to the **【director】** Chief  
44 Administrator: (1) of all cases heard before him for violation of  
45 this title, or for any other violation in which a motor vehicle was  
46 used in any way, and (2) of the conviction of any person of having  
47 committed a **【penal】** crime or offense **【or crime】** in the commission

1 of which a motor vehicle was used, within three days after the  
2 disposition of the case before him as a judge **【or magistrate】**. The  
3 report shall state the nature of the violation, the full facts  
4 concerning the use of the motor vehicle in the commission of the  
5 **【penal】 crime or offense **【or crime】****, the disposition of the case by  
6 the judge **【or magistrate】**, and any recommendations which the  
7 judge **【or magistrate】** may deem of value to the **【director】** Chief  
8 Administrator in determining whether action should be taken  
9 against the driving, registration, or other privilege of the driver or  
10 owner of the motor vehicle.

11 b. Upon receipt of an order issued pursuant to section 1 of  
12 P.L. , c. (C. ) (now pending before the Legislature as this  
13 bill) or other appropriate notice from the court requiring the  
14 deletion, sealing, labeling, or correction of a person's name and  
15 other personal identifying information from a record, the Chief  
16 Administrator shall promptly remove such information that may  
17 have been entered into the records of the Motor Vehicle  
18 Commission. The Chief Administrator shall, upon request, provide  
19 the victim with a certified corrected driver history. Where  
20 appropriate, the Chief Administrator shall also reinstate any driver's  
21 license that may have been suspended or revoked and shall remove  
22 any motor vehicle penalty points from the victim's driving record  
23 that may have been assessed as a result of a conviction against the  
24 victim which the court has ordered vacated pursuant to section 1 of  
25 P.L. , c. (C. ) (now pending before the Legislature as this  
26 bill). Notwithstanding any other provision of law to the contrary, no  
27 fee shall be charged to a victim for services provided by the Chief  
28 Administrator pursuant to this section.

29 (cf: P.L.1990, c.103, s.34)

30

31 3. (New section) Any insurance company that charged any  
32 additional premium based on insurance points assessed against a  
33 policyholder as a result of a charge or conviction that was ordered  
34 by the court to be deleted, sealed, labeled, or corrected pursuant to  
35 the provisions of P.L. , c. (C. ) (now pending before the  
36 Legislature as this bill) shall refund those additional premiums to  
37 the policyholder upon receipt of notification of the court's order.

38

39 4. This act shall take effect on the first day of the fourth month  
40 following enactment.

41

42

43

44

45 \_\_\_\_\_  
46 Authorizes the court to order the deletion, sealing, labeling, or  
47 correction of certain personal information in government records  
involving certain victims of identity theft.

# ASSEMBLY, No. 1662

## STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

**Sponsored by:**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblyman Diegnan**

**SYNOPSIS**

Provides for expungement of certain records of victims of identity theft.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 6/13/2014)**

1 AN ACT concerning expungement, amending N.J.S.2C:52-28 and  
2 supplementing Title 2C of the New Jersey Statutes and Title 39  
3 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) a. Notwithstanding any other provision of  
9 law to the contrary, any victim of an offense under N.J.S.2C:21-1,  
10 section 1 of P.L.1983, c.565 (2C:21-2.1) or N.J.S.2C:21-17 may  
11 make an application to the court for expungement of any records or  
12 any entries relating to the victim's charge or conviction, provided  
13 that the victim was charged or convicted of an offense or a motor  
14 vehicle violation as a result of another person using the victim's  
15 personal identifying information to commit an offense or violation  
16 and that the charge or conviction was dismissed or set aside.

17 b. The victim shall not be required to file a duly verified  
18 petition as provided in N.J.S.2C:52-1 et seq., but shall be required  
19 to make an application to the court for such relief. The application  
20 shall include documents and information as may be necessary to  
21 establish that the charge or conviction was the result of a person  
22 using the personal identifying information of the victim to commit  
23 the offense or violation and that the charge or conviction was  
24 dismissed or set aside.

25 c. After the expungement is granted, the court shall forward a  
26 copy of the expungement order to the appropriate detention or  
27 correctional facility, law enforcement agency, criminal justice  
28 agency, department or administrative agency. Upon receipt of the  
29 court order, the detention or correctional facility, law enforcement  
30 agency, criminal justice agency, department or administrative  
31 agency shall expunge the pertinent records.

32 d. Notwithstanding any other provision of law to the contrary,  
33 the expungement of any record on file pursuant to the provisions of  
34 this section shall not require the payment of any fee by the victim.

35 e. The Supreme Court of New Jersey may adopt rules and the  
36 Administrative Director of the Courts may issue directives to  
37 effectuate the purposes of this act.

38 f. The Attorney General may issue guidelines which may be  
39 necessary concerning procedures for law enforcement agencies or  
40 any other agencies in the criminal justice system to effectuate the  
41 purposes of this act.

42

43 2. N.J.S.2C:52-28 is amended to read as follows:

44 2C:52-28. Nothing contained in this chapter shall apply to  
45 arrests or conviction for motor vehicle offenses contained in Title

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 39, except that the court may expunge the record of an arrest or  
2 conviction for motor vehicle offenses provided the person seeking  
3 the expungement is a victim of an offense under N.J.S.2C:21-1,  
4 section 1 of P.L.1983, c.565 (2C:21-2.1) or N.J.S.2C:21-17 and the  
5 arrest or conviction was the result of another person using the  
6 victim's personal identifying information to commit the offense and  
7 the person has made an application for expungement pursuant to  
8 section 1 of P.L. , c. (C. ) (now pending before the  
9 Legislature as section 1 of this bill).  
10 (cf: P.L.1979, c.178, s.135)

11  
12 3. (New section) Any insurance company that charged any  
13 additional premium based on insurance points assessed against a  
14 policyholder as a result of a charge or conviction that was expunged  
15 pursuant to the provisions of P.L. , c. (C. ) (now pending  
16 before the Legislature as this bill) shall refund those additional  
17 premiums to the policyholder upon notification of the expungement.

18  
19 4. Notwithstanding any other provision of law to the contrary,  
20 the Director of the Division of Motor Vehicles shall provide to the  
21 person whose motor vehicle record is expunged under the  
22 provisions of section 1 of P.L. , c. (C. ) (now pending  
23 before the Legislature as section 1 of this bill) a certified corrected  
24 driver history. The director shall also reinstate any drivers license  
25 suspended or revoked as a result of the charge or conviction  
26 expunged under section 1 of P.L. , c. (C. ) (now pending  
27 before the Legislature as section 1 of this bill).

28  
29 5. This act shall take effect immediately.

30  
31  
32 STATEMENT

33  
34 This bill would provide for expungement of records in cases  
35 where a victim of an identity theft was mistakenly accused of an  
36 offense.

37 Under the provisions of the bill, a victim of an identity theft can  
38 make an application to the court for expungement of any records  
39 relating to the victim's charge or conviction, provided that the  
40 victim was charged or convicted of an offense or a motor vehicle  
41 violation as a result of another person using the victim's personal  
42 identifying information to commit an offense or violation and that  
43 the charge or conviction was dismissed or set aside. The bill  
44 provides that the application should include documents and  
45 information to support the victim's application.

46 After an expungement is granted, the court would forward a copy  
47 of the expungement order to the appropriate agency. Upon receipt  
48 of the order, the agency would be required to expunge the pertinent



**A1662 JOHNSON, LAGANA**

4

1 records. The bill provides that the victim would not be charged a  
2 fee for the expungement.

3 The bill amends N.J.S.A.2C:52-28, which provides that the  
4 expungement provisions in the statute do not apply to arrests or  
5 convictions for motor vehicle violations, to make a limited  
6 exception for victims of identity theft.

7 In addition, the bill would require an insurance company to  
8 refund those additional premiums charged to a policyholder who  
9 was a victim of identity theft upon notification of the expungement.

10 The bill would also require the director of the Division of Motor  
11 Vehicles to provide the person whose motor vehicle record was  
12 expunged with a certified corrected driver history. The director  
13 would also be required to reinstate any drivers license suspended or  
14 revoked as a result of the charge or conviction which was later  
15 expunged.

16 It is the sponsor's intent to provide a mechanism for victims of  
17 identity theft for clearing their records.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1662

# STATE OF NEW JERSEY

DATED: DECEMBER 11, 2014

The Assembly Judiciary Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1662.

This committee substitute would authorize the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft.

Under the substitute, a person who reasonably believes that he is the victim of identity theft based on the commission of an offense under N.J.S.2C:21-1, section 1 of P.L.1983, c.565 (2C:21-2.1), N.J.S.2C:21-17, or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2 or C.2C:21-17.3) may petition the court where the charge is pending or where the conviction was entered for a judicial determination of the victim's factual innocence, when:

(1) the perpetrator of the identity theft was arrested for, cited for, or convicted of a crime, offense, or violation of law under the victim's identity;

(2) a complaint for a crime, offense, or violation has been filed against the perpetrator in the victim's name; or

(3) the victim's identity has been mistakenly associated with a record of conviction.

If a charge is pending, the prosecutor may petition the court for a determination of factual innocence on behalf of the victim. Any judicial determination of factual innocence made pursuant to this section may be determined, with or without a hearing, upon declarations, affidavits, police reports, or other material, relevant, and reliable information submitted by the parties or ordered to be part of the record by the court. Where the court determines that the petition is meritorious and that there is no reasonable cause to believe that the victim committed the crime, offense, or violation for which the perpetrator of the identity theft was arrested, cited, convicted, or subject to a complaint for a crime, offense, or violation in the victim's name, or that the victim's identity has been mistakenly associated with a record of conviction, the court shall order the victim's name and associated personal identifying information contained in the records, files, and indexes of relevant courts, law enforcement agencies, correctional institutions, and administrative agencies which are

accessible to the public be deleted, sealed, labeled to show that such data is impersonated and does not reflect the defendant's identity, or corrected by inserting in the records the name of the perpetrator, if known or ascertainable, in lieu of the victim's name.

The court shall distribute such order or other appropriate notice to the prosecutor and administrative agencies to which a record of conviction may have been transmitted. The prosecutor shall distribute the order or notice to the relevant law enforcement agencies and correctional institutions so that they may comply with its provisions. The court shall provide the victim with a copy of the order or other appropriate documentation to aid in the resolution of any disabilities that may result from the arrest, charge, or conviction.

A victim seeking relief would not be required to comply with the requirements of expungement set out in chapter 52 of Title 2C of the New Jersey Statutes, but shall proceed in accordance with the rules and procedures promulgated by the Supreme Court.

A court that determines a victim's factual innocence may at any time vacate that determination if the petition, or information submitted in support of the petition, contains material misrepresentation or fraud. If the court vacates such a determination, it shall issue an order rescinding any orders made pursuant to the provisions of the substitute.

Any relief granted pursuant to the substitute would not affect a victim's eligibility to apply for an expungement for any other offense pursuant to chapter 52 of Title 2C of the New Jersey Statutes.

A petition for relief would not require the payment of any fee by the victim.

The substitute also provides that upon receipt of an order issued pursuant to the substitute or other appropriate notice from the court requiring the deletion, sealing, labeling, or correction of a person's name and other personal identifying information from a record, the Chief Administrator of the Motor Vehicle Commission shall promptly remove such information that may have been entered into the records of the Motor Vehicle Commission. The Chief Administrator shall, upon request, provide the victim with a certified corrected driver history. Where appropriate, the Chief Administrator shall also reinstate any driver's license that may have been suspended or revoked and shall remove any motor vehicle penalty points from the victim's driving record that may have been assessed as a result of a conviction against the victim which the court has ordered vacated pursuant to the substitute. No fee shall be charged to a victim.

In addition, the substitute provides that any insurance company that charged any additional premium based on insurance points assessed against a policyholder as a result of a charge or conviction that was ordered by the court to be deleted, sealed, labeled, or corrected pursuant to the provisions of the substitute shall refund those

additional premiums to the policyholder upon receipt of notification of the court's order.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1662

# STATE OF NEW JERSEY

DATED: AUGUST 13, 2015

The Senate Judiciary Committee reports favorably Assembly Bill No. 1662 (ACS).

This committee substitute would authorize the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft.

Under the substitute, a person who reasonably believes that he is the victim of identity theft based on the commission of an offense under N.J.S.2C:21-1 (*forgery and related offenses*), section 1 of P.L.1983, c.565 (2C:21-2.1) (*offenses involving false government documents*), N.J.S.2C:21-17 (*impersonation; theft of identity*), or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2 or C.2C:21-17.3) (*use of or trafficking in personal identifying information of another*) may petition the court where the charge is pending or where the conviction was entered for a judicial determination of the victim's factual innocence, when:

(1) the perpetrator of the identity theft was arrested for, cited for, or convicted of a crime, offense, or violation of law under the victim's identity;

(2) a complaint for a crime, offense, or violation has been filed against the perpetrator in the victim's name; or

(3) the victim's identity has been mistakenly associated with a record of conviction.

If a charge is pending, the prosecutor may petition the court for a determination of factual innocence on behalf of the victim. Any judicial determination of factual innocence made pursuant to this section may be determined, with or without a hearing, upon declarations, affidavits, police reports, or other material, relevant, and reliable information submitted by the parties or ordered to be part of the record by the court. Where the court determines that the petition is meritorious and that there is no reasonable cause to believe that the victim committed the crime, offense, or violation for which the perpetrator of the identity theft was arrested, cited, convicted, or subject to a complaint for a crime, offense, or violation in the victim's name, or that the victim's identity has been mistakenly associated with

a record of conviction, the court shall order the victim's name and associated personal identifying information contained in the records, files, and indexes of relevant courts, law enforcement agencies, correctional institutions, and administrative agencies which are accessible to the public be deleted, sealed, labeled to show that such data is impersonated and does not reflect the defendant's identity, or corrected by inserting in the records the name of the perpetrator, if known or ascertainable, in lieu of the victim's name.

The court shall distribute such order or other appropriate notice to the prosecutor and administrative agencies to which a record of conviction may have been transmitted. The prosecutor shall distribute the order or notice to the relevant law enforcement agencies and correctional institutions so that they may comply with its provisions. The court shall provide the victim with a copy of the order or other appropriate documentation to aid in the resolution of any disabilities that may result from the arrest, charge, or conviction.

A victim seeking relief would not be required to comply with the requirements of expungement set out in chapter 52 of Title 2C of the New Jersey Statutes, but shall proceed in accordance with the rules and procedures promulgated by the Supreme Court.

A court that determines a victim's factual innocence may at any time vacate that determination if the petition, or information submitted in support of the petition, contains material misrepresentation or fraud. If the court vacates such a determination, it shall issue an order rescinding any orders made pursuant to the provisions of the substitute.

Any relief granted pursuant to the substitute would not affect a victim's eligibility to apply for an expungement for any other offense pursuant to chapter 52 of Title 2C of the New Jersey Statutes.

A petition for relief would not require the payment of any fee by the victim.

The substitute also provides that upon receipt of an order issued pursuant to the substitute or other appropriate notice from the court requiring the deletion, sealing, labeling, or correction of a person's name and other personal identifying information from a record, the Chief Administrator of the Motor Vehicle Commission shall promptly remove such information that may have been entered into the records of the Motor Vehicle Commission. The Chief Administrator shall, upon request, provide the victim with a certified corrected driver history. Where appropriate, the Chief Administrator shall also reinstate any driver's license that may have been suspended or revoked and shall remove any motor vehicle penalty points from the victim's driving record that may have been assessed as a result of a conviction against the victim which the court has ordered vacated pursuant to the substitute. No fee shall be charged to a victim.

In addition, the substitute provides that any insurance company that charged any additional premium based on insurance points

assessed against a policyholder as a result of a charge or conviction that was ordered by the court to be deleted, sealed, labeled, or corrected pursuant to the provisions of the substitute shall refund those additional premiums to the policyholder upon receipt of notification of the court's order.

This committee substitute, as reported, is identical to Senate Bill No. 2856, also reported by the committee today.

**SENATE, No. 2856**

**STATE OF NEW JERSEY**  
**216th LEGISLATURE**

INTRODUCED MAY 7, 2015

**Sponsored by:**  
**Senator LORETTA WEINBERG**  
**District 37 (Bergen)**

**SYNOPSIS**

Authorizes the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft.

**CURRENT VERSION OF TEXT**

As introduced.





S2856 WEINBERG

2

1 AN ACT concerning certain victims of identity theft, amending  
2 R.S.39:5-42 and supplementing Title 2C of the New Jersey  
3 Statutes and Title 39 of the Revised Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. (New section) a. Notwithstanding any other provision of  
9 law to the contrary, a person who reasonably believes that he is the  
10 victim of identity theft based on the commission of an offense under  
11 N.J.S.2C:21-1, section 1 of P.L.1983, c.565 (2C:21-2.1),  
12 N.J.S.2C:21-17, or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2  
13 or C.2C:21-17.3) may petition the court where the charge is pending  
14 or where the conviction was entered for a judicial determination of  
15 the victim's factual innocence, when:

16 (1) the perpetrator of the identity theft was arrested for, cited  
17 for, or convicted of a crime, offense, or violation of law under the  
18 victim's identity;

19 (2) a complaint for a crime, offense, or violation has been filed  
20 against the perpetrator in the victim's name; or

21 (3) the victim's identity has been mistakenly associated with a  
22 record of conviction.

23 If a charge is pending, the prosecutor may petition the court for a  
24 determination of factual innocence on behalf of the victim. Any  
25 judicial determination of factual innocence made pursuant to this  
26 section may be determined, with or without a hearing, upon  
27 declarations, affidavits, police reports, or other material, relevant,  
28 and reliable information submitted by the parties or ordered to be  
29 part of the record by the court. Where the court determines that the  
30 petition is meritorious and that there is no reasonable cause to  
31 believe that the victim committed the crime, offense, or violation  
32 for which the perpetrator of the identity theft was arrested, cited,  
33 convicted, or subject to a complaint for a crime, offense, or  
34 violation in the victim's name, or that the victim's identity has been  
35 mistakenly associated with a record of conviction, the court shall  
36 order that the victim's name and associated personal identifying  
37 information contained in the records, files, and indexes of relevant  
38 courts, law enforcement agencies, correctional institutions, and  
39 administrative agencies which are accessible to the public be  
40 deleted, sealed, labeled to show that such data is impersonated and  
41 does not reflect the defendant's identity, or corrected by inserting in  
42 the records the name of the perpetrator, if known or ascertainable,  
43 in lieu of the victim's name.

44 The court shall distribute such order or other appropriate notice  
45 to the prosecutor and administrative agencies to which a record of

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 conviction may have been transmitted. The prosecutor shall  
2 distribute the order or notice to the relevant law enforcement  
3 agencies and correctional institutions so that they may comply with  
4 its provisions. The court shall provide the victim with a copy of the  
5 order or other appropriate documentation to aid in the resolution of  
6 any disabilities that may result from the arrest, charge, or  
7 conviction.

8 b. A victim seeking relief under this section shall not be  
9 required to comply with the requirements of chapter 52 of Title 2C  
10 of the New Jersey Statutes, but shall proceed in accordance with the  
11 rules and procedures promulgated by the Supreme Court.

12 c. A court that determines a victim's factual innocence  
13 pursuant to this section may at any time vacate that determination if  
14 the petition, or information submitted in support of the petition,  
15 contains material misrepresentation or fraud. If the court vacates  
16 such a determination, it shall issue an order rescinding any orders  
17 made pursuant to this section.

18 d. Any relief granted pursuant to this section shall not affect a  
19 victim's eligibility to apply for an expungement for any other  
20 offense pursuant to chapter 52 of Title 2C of the New Jersey  
21 Statutes.

22 e. Notwithstanding any other provision of law to the contrary,  
23 a petition for relief made pursuant to the provisions of this section  
24 shall not require the payment of any fee by the victim.

25 f. The Supreme Court may adopt rules and the Administrative  
26 Director of the Courts may issue directives to effectuate the  
27 purposes of this act.

28 g. The Attorney General may issue guidelines which may be  
29 necessary concerning procedures for law enforcement agencies or  
30 any other agencies in the criminal justice system to effectuate the  
31 purposes of this act.

32

33 2. R.S.39:5-42 is amended to read as follows:

34 39:5-42. a. Every judge **【or magistrate】** shall make a report, in  
35 such form as the **【director】** Chief Administrator of the Motor  
36 Vehicle Commission may require, to the **【director】** Chief  
37 Administrator: (1) of all cases heard before him for violation of  
38 this title, or for any other violation in which a motor vehicle was  
39 used in any way, and (2) of the conviction of any person of having  
40 committed a **【penal】** crime or offense **【or crime】** in the commission  
41 of which a motor vehicle was used, within three days after the  
42 disposition of the case before him as a judge **【or magistrate】**. The  
43 report shall state the nature of the violation, the full facts  
44 concerning the use of the motor vehicle in the commission of the  
45 **【penal】** crime or offense **【or crime】**, the disposition of the case by  
46 the judge **【or magistrate】**, and any recommendations which the  
47 judge **【or magistrate】** may deem of value to the **【director】** Chief

1 Administrator in determining whether action should be taken  
2 against the driving, registration, or other privilege of the driver or  
3 owner of the motor vehicle.

4 b. Upon receipt of an order issued pursuant to section 1 of  
5 P.L. , c. (C. ) (now pending before the Legislature as this  
6 bill) or other appropriate notice from the court requiring the  
7 deletion, sealing, labeling, or correction of a person's name and  
8 other personal identifying information from a record, the Chief  
9 Administrator shall promptly remove such information that may  
10 have been entered into the records of the Motor Vehicle  
11 Commission. The Chief Administrator shall, upon request, provide  
12 the victim with a certified corrected driver history. Where  
13 appropriate, the Chief Administrator shall also reinstate any driver's  
14 license that may have been suspended or revoked and shall remove  
15 any motor vehicle penalty points from the victim's driving record  
16 that may have been assessed as a result of a conviction against the  
17 victim which the court has ordered vacated pursuant to section 1 of  
18 P.L. , c. (C. ) (now pending before the Legislature as this  
19 bill). Notwithstanding any other provision of law to the contrary, no  
20 fee shall be charged to a victim for services provided by the Chief  
21 Administrator pursuant to this section.

22 (cf: P.L.1990, c.103, s.34)

23

24 3. (New section) Any insurance company that charged any  
25 additional premium based on insurance points assessed against a  
26 policyholder as a result of a charge or conviction that was ordered  
27 by the court to be deleted, sealed, labeled, or corrected pursuant to  
28 the provisions of P.L. , c. (C. ) (now pending before the  
29 Legislature as this bill) shall refund those additional premiums to  
30 the policyholder upon receipt of notification of the court's order.

31

32 4. This act shall take effect on the first day of the fourth month  
33 following enactment.

34

35

36

#### STATEMENT

37

38 This bill would authorize the court to order the deletion, sealing,  
39 labeling, or correction of certain personal information in  
40 government records involving certain victims of identity theft.

41 Under the bill, a person who reasonably believes that he is the  
42 victim of identity theft based on the commission of an offense under  
43 N.J.S.2C:21-1, section 1 of P.L.1983, c.565 (2C:21-2.1),  
44 N.J.S.2C:21-17, or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2  
45 or C.2C:21-17.3) may petition the court where the charge is pending  
46 or where the conviction was entered for a judicial determination of  
47 the victim's factual innocence, when:

1 (1) the perpetrator of the identity theft was arrested for, cited for,  
2 or convicted of a crime, offense, or violation of law under the  
3 victim's identity;

4 (2) a complaint for a crime, offense, or violation has been filed  
5 against the perpetrator in the victim's name; or

6 (3) the victim's identity has been mistakenly associated with a  
7 record of conviction.

8 If a charge is pending, the prosecutor may petition the court for a  
9 determination of factual innocence on behalf of the victim. Any  
10 judicial determination of factual innocence made pursuant to this  
11 section may be determined, with or without a hearing, upon  
12 declarations, affidavits, police reports, or other material, relevant,  
13 and reliable information submitted by the parties or ordered to be  
14 part of the record by the court. Where the court determines that the  
15 petition is meritorious and that there is no reasonable cause to  
16 believe that the victim committed the crime, offense, or violation  
17 for which the perpetrator of the identity theft was arrested, cited,  
18 convicted, or subject to a complaint for a crime, offense, or  
19 violation in the victim's name, or that the victim's identity has been  
20 mistakenly associated with a record of conviction, the court shall  
21 order the victim's name and associated personal identifying  
22 information contained in the records, files, and indexes of relevant  
23 courts, law enforcement agencies, correctional institutions, and  
24 administrative agencies which are accessible to the public be  
25 deleted, sealed, labeled to show that such data is impersonated and  
26 does not reflect the defendant's identity, or corrected by inserting in  
27 the records the name of the perpetrator, if known or ascertainable,  
28 in lieu of the victim's name.

29 The court shall distribute such order or other appropriate notice  
30 to the prosecutor and administrative agencies to which a record of  
31 conviction may have been transmitted. The prosecutor shall  
32 distribute the order or notice to the relevant law enforcement  
33 agencies and correctional institutions so that they may comply with  
34 its provisions. The court shall provide the victim with a copy of the  
35 order or other appropriate documentation to aid in the resolution of  
36 any disabilities that may result from the arrest, charge, or  
37 conviction.

38 A victim seeking relief would not be required to comply with the  
39 requirements of expungement set out in chapter 52 of Title 2C of  
40 the New Jersey Statutes, but shall proceed in accordance with the  
41 rules and procedures promulgated by the Supreme Court.

42 A court that determines a victim's factual innocence may at any  
43 time vacate that determination if the petition, or information  
44 submitted in support of the petition, contains material  
45 misrepresentation or fraud. If the court vacates such a  
46 determination, it shall issue an order rescinding any orders made  
47 pursuant to the provisions of the bill.

**S2856 WEINBERG**

1 Any relief granted pursuant to the bill would not affect a victim's  
2 eligibility to apply for an expungement for any other offense  
3 pursuant to chapter 52 of Title 2C of the New Jersey Statutes.

4 A petition for relief would not require the payment of any fee by  
5 the victim.

6 The bill also provides that upon receipt of an order issued  
7 pursuant to the bill or other appropriate notice from the court  
8 requiring the deletion, sealing, labeling, or correction of a person's  
9 name and other personal identifying information from a record, the  
10 Chief Administrator of the Motor Vehicle Commission shall  
11 promptly remove such information that may have been entered into  
12 the records of the Motor Vehicle Commission. The Chief  
13 Administrator shall, upon request, provide the victim with a  
14 certified corrected driver history. Where appropriate, the Chief  
15 Administrator shall also reinstate any driver's license that may have  
16 been suspended or revoked and shall remove any motor vehicle  
17 penalty points from the victim's driving record that may have been  
18 assessed as a result of a conviction against the victim which the  
19 court has ordered vacated pursuant to the bill. No fee shall be  
20 charged to a victim.

21 In addition, the bill would require an insurance company to  
22 refund any additional premiums charged to a policy holder which  
23 were based on insurance points assessed as a result of a charge or  
24 conviction that was ordered by the court to be deleted, sealed,  
25 labeled, or corrected.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 2856

# STATE OF NEW JERSEY

DATED: AUGUST 13, 2015

The Senate Judiciary Committee reports favorably Senate Bill No. 2856.

This bill would authorize the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft.

Under the bill, a person who reasonably believes that he is the victim of identity theft based on the commission of an offense under N.J.S.2C:21-1 (*forgery and related offenses*), section 1 of P.L.1983, c.565 (2C:21-2.1) (*offenses involving false government documents*), N.J.S.2C:21-17 (*impersonation; theft of identity*), or section 5 or 6 of P.L.2003, c.184 (C.2C:21-17.2 or C.2C:21-17.3) (*use of or trafficking in personal identifying information of another*) may petition the court where the charge is pending or where the conviction was entered for a judicial determination of the victim's factual innocence, when:

(1) the perpetrator of the identity theft was arrested for, cited for, or convicted of a crime, offense, or violation of law under the victim's identity;

(2) a complaint for a crime, offense, or violation has been filed against the perpetrator in the victim's name; or

(3) the victim's identity has been mistakenly associated with a record of conviction.

If a charge is pending, the prosecutor may petition the court for a determination of factual innocence on behalf of the victim. Any judicial determination of factual innocence made pursuant to this section may be determined, with or without a hearing, upon declarations, affidavits, police reports, or other material, relevant, and reliable information submitted by the parties or ordered to be part of the record by the court. Where the court determines that the petition is meritorious and that there is no reasonable cause to believe that the victim committed the crime, offense, or violation for which the perpetrator of the identity theft was arrested, cited, convicted, or subject to a complaint for a crime, offense, or violation in the victim's name, or that the victim's identity has been mistakenly associated with a record of conviction, the court shall order the victim's name and associated personal identifying information contained in the records, files, and indexes of relevant courts, law enforcement agencies, correctional institutions, and administrative agencies which are

accessible to the public be deleted, sealed, labeled to show that such data is impersonated and does not reflect the defendant's identity, or corrected by inserting in the records the name of the perpetrator, if known or ascertainable, in lieu of the victim's name.

The court shall distribute such order or other appropriate notice to the prosecutor and administrative agencies to which a record of conviction may have been transmitted. The prosecutor shall distribute the order or notice to the relevant law enforcement agencies and correctional institutions so that they may comply with its provisions. The court shall provide the victim with a copy of the order or other appropriate documentation to aid in the resolution of any disabilities that may result from the arrest, charge, or conviction.

A victim seeking relief would not be required to comply with the requirements of expungement set out in chapter 52 of Title 2C of the New Jersey Statutes, but shall proceed in accordance with the rules and procedures promulgated by the Supreme Court.

A court that determines a victim's factual innocence may at any time vacate that determination if the petition, or information submitted in support of the petition, contains material misrepresentation or fraud. If the court vacates such a determination, it shall issue an order rescinding any orders made pursuant to the provisions of the bill.

Any relief granted pursuant to the bill would not affect a victim's eligibility to apply for an expungement for any other offense pursuant to chapter 52 of Title 2C of the New Jersey Statutes.

A petition for relief would not require the payment of any fee by the victim.

The bill also provides that upon receipt of an order issued pursuant to the bill or other appropriate notice from the court requiring the deletion, sealing, labeling, or correction of a person's name and other personal identifying information from a record, the Chief Administrator of the Motor Vehicle Commission shall promptly remove such information that may have been entered into the records of the Motor Vehicle Commission. The Chief Administrator shall, upon request, provide the victim with a certified corrected driver history. Where appropriate, the Chief Administrator shall also reinstate any driver's license that may have been suspended or revoked and shall remove any motor vehicle penalty points from the victim's driving record that may have been assessed as a result of a conviction against the victim which the court has ordered vacated pursuant to the bill. No fee shall be charged to a victim.

In addition, the bill provides that any insurance company that charged any additional premium based on insurance points assessed against a policyholder as a result of a charge or conviction that was ordered by the court to be deleted, sealed, labeled, or corrected pursuant to the provisions of the bill shall refund those additional premiums to the policyholder upon receipt of notification of the court's order.

This bill, as reported, is identical to Assembly Committee Substitute for Assembly Bill No. 1662, also reported by the committee today.



## Governor Christie Takes Action On Pending Legislation

Monday, November 9, 2015 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today took action on legislation, including a package of five bills intended to address the fiscal stability of Atlantic City.

Understanding both the immediate and long-term obstacles facing Atlantic City and its stabilization, the Governor has consistently highlighted the need for comprehensive reform efforts to confront the city's challenges – both from State and local leaders. The Governor remains committed to bringing about the necessary reforms to stabilize Atlantic City and continue an effective long-term transition to an economy that is diversified beyond its traditional gaming industry.

Continuing in that effort, Governor Christie conditionally vetoed A-3981, establishing a payment-in-lieu-of-taxes (PILOT) program for casinos operating in the City, A-3984, reallocating revenue derived from the casino investment alternative tax from the Casino Reinvestment Development Authority to the City to pay debt service on municipal bonds, and A-3985, repealing the Atlantic City Alliance.

"While I commend the Legislature for attempting to devise measures to stabilize the City's budget and finances, I am concerned that the bills, in their present form, fail to recognize the true path to economic revitalization and fiscal stability in the City," Governor Christie said. "While these bills represent the bipartisan efforts of many to provide important, near-term support to the City's immediate challenges, I do not believe they meet the goal of setting a course toward renewed, long-term prosperity and economic growth. To achieve these goals, we must continue our work and go further to ensure that the next step leads to that economically vibrant future for Atlantic City."

In addition, the Governor signed A- 3983, authorizing supplemental school aid to the Atlantic City school district, and vetoed the fifth bill, A-3982, which would add a costly and unjustified new mandate for casino business operation in the City by requiring each casino, as a condition of licensure, to provide to its full time employees "suitable" health care benefits and "suitable" retirement benefits.

"A-3982 would do nothing to enhance the financial condition of Atlantic City," Governor Christie wrote. "To be sure, this bill would make it more costly for casinos to operate in Atlantic City, thereby impeding the industry's ability to grow and expand."

Governor Christie also vetoed legislation designed to revise certain laws concerning domestic violence and firearms. The Christie Administration has made protecting our most vulnerable residents one of its main priorities and has enacted some of the toughest measures to combat domestic violence. Governor Christie has supported a comprehensive approach to addressing the level of violence within our society and recently signed legislation to further penalize aggravated assault perpetuated against domestic violence victims. This legislation, A-4218 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez), substantially restates New Jersey's existing laws that govern firearms and domestic violence and does not offer new and sensible improvements to those current laws. For that reason, rather than restate existing laws, the Governor is proposing significant amendments that will meaningfully deter future acts of violence.

- **Enhanced Penalties For Domestic Violence.** Governor Christie is proposing enhanced criminal penalties imposed against those who are convicted of domestic violence. To demonstrate society's unconditional condemnation of this conduct, perpetrators would receive the maximum available prison sentence under New Jersey law.

- **Tighter Restrictions On Parole Eligibility For Perpetrators Of Domestic Violence.** The Governor's recommended changes will strengthen penalties for perpetrators of domestic abuse by lengthening periods of parole

ineligibility.

- **Prioritizing Victims Who Seek Firearms For Protection.** The Governor is also recommending an immediate codification in statute of new rules currently being processed, giving expedited processing of firearm license applications for victims of domestic violence so that the victims may better defend themselves against future instances of abuse.

"I urge the Legislature to join with me in a bipartisan manner to broaden this bill's approach to reducing domestic violence while simultaneously empowering victims to protect themselves through lawful means," Governor Christie said. "Together, we can enact a more comprehensive approach and reduce the harm that domestic violence inflicts on victims, families, and our society."

The Governor also took the following action on other pending legislation:

#### BILL SIGNINGS:

**S-2174/A-3364 (Barnes, Holzapfel/Quijano, Mainor, Pinkin)** - Prohibits manufacture, sale, or installation of counterfeit or nonfunctional air bags in motor vehicles

**A-815/S-852 (Coughlin, Ciattarelli, Diegnan, Pinkin, Giblin/Vitale)** - Requires municipalities which license peddlers and solicitors to accept certain background check results from other municipalities

**A-1029/S-274 (Benson, Vainieri Huttie, Jasey, Tucker, Wimberly/Greenstein, Ruiz)** - Requires training program for school bus drivers and school bus aides on interacting with students with special needs, and requires development and use of student information cards

**A-1041/S-2676 (Schaer, Johnson, Vainieri Huttie, Eustace, Mazzeo/Rumana, Gordon, Weinberg)** - Exempts Holocaust reparations payments from legal process, and from estate recovery under Medicaid program

**A-1102/S-1145 (Vainieri Huttie, Sumter, Spencer, Schaer, Wimberly/Weinberg, Cruz-Perez)** - Provides for licensure of dementia care homes by DOH

**ACS for A-1662/S-2856 (Johnson, Lagana, Wimberly/Weinberg)** - Authorizes the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft

**AS for A-1678/SS for S-1365 (Johnson, Mainor, O'Scanlon, Wilson, Wimberly/Weinberg)** - Authorizes court to order submission of DNA evidence to national database to determine whether evidence matches known individual or DNA profile from an unsolved crime

**AS for ACS for A-2073/SCS for S-712 (Handlin, Space, Garcia, Pintor Marin/Cruz-Perez, Kyrillos, Lesniak)** - Exempts certain offers and sales of securities from registration

**A-2385/S-944 (McKeon, Diegnan, Jasey, Andrzejczak/Smith, Codey)** - Authorizes rural electric cooperative and certain municipalities to establish municipal shared services authority

**ACS for A-2477/SCS for S-1705 (Lampitt, Conaway, Benson, Sumter, Munoz, Pinkin/Vitale, Singer)** - Establishes requirements for pharmacists to dispense biological products

**A-2714/S-1993 (Giblin, Sumter/Barnes)** - Requires continuing education for licensed practicing psychologists

**A-2936/S-1957 (Mosquera, Lampitt, Singleton, Wimberly/Singer, Connors)** - Requires complaint for guardianship of person receiving services from Division of Developmental Disabilities to include one of documents identified in bill

**A-3012/S-2296 (Ciattarelli, Dancer/Bateman)** - Criminalizes bestiality

**A-3079/S-2766 (Jasey, Diegnan, Mainor, Wimberly, Oliver, DeCroce/Turner, Ruiz)** - Prohibits administration of standardized assessments in kindergarten through second grade

**A-3153/S-2415 (DeAngelo, Mosquera/Madden, Beach)** - Requires UI employer contribution reports and remittances be submitted to the Division of Revenue

**A-3248/S-2459 (Conaway, Sumter, Pintor Marin/Singer)** - Establishes the Task Force on Chronic Obstructive Pulmonary Disease in DOH

**A-3580/S-2846 (Moriarty, Dancer, Coughlin, Mainor, Pinkin, Munoz, Daniels, Wimberly/Madden, Turner)** - Prohibits sale of powdered alcohol

**A-3636/SCS for S-2393, 2408, 2411 (McKeon, Lagana, Spencer/Scutari, O'Toole, Holzapfel)** - Establishes crime-fraud exception to marital and civil union partnership privilege

**A-3669/S-2655 (Mazzeo, Burzichelli/Whelan)** - Prohibits eligibility for certain sign programs from being conditioned on availability of free drinking water or public telephone

**A-3807/S-2619 (Eustace, Greenwald/Whelan)** - Permits educational research and services corporations to act as lead procurement agencies for local units and publically supported educational institutions; permits Council of County Colleges to act as lead procurement agency for county colleges

**A-3841/S-2540 (Munoz, Gusciora, Angelini, DeCroce/O'Toole, Weinberg)** – Upgrades violation of a stalking restraining order to a crime of the third degree

**A-3843/S-2735 (Caputo, Giblin, Tucker, Johnson, Mainor, Sumter/Rice)** - Permits municipality to enact ordinance allowing voluntary registration of private outdoor video surveillance cameras

**A-3983/S-2574 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan)** - Authorizes supplemental State aid to school districts in municipality with significant decrease in commercial property valuation; makes appropriation

**A-4008/SCS for S-2334 (Singleton, Mukherji, Pintor Marin, Wimberly, Sumter/Cunningham, Ruiz)** - Requires DOC to make reports containing information concerning treatment and reentry initiative participation; requires AOC to establish program that collects recidivism data and make reports concerning adults sentenced to period of probation

**A-4013/S-2497 (Greenwald, Lagana, Coughlin/Oroho)** - Eliminates mortgage guaranty insurance coverage cap of 25% of outstanding balance of insured loan

**A-4073/S-2687 (Schaer, Prieto, Caride, Lagana, Giblin, Wimberly, Rumana/Sarlo, Gill)** - Requires installation of carbon monoxide detectors in certain structures; designated as "Korman and Park's Law"

**A-4078/S-2686 (Vainieri Huttie, Mosquera, McKeon, Munoz, Benson, Sumter/Pou, Beck)** - "Sexual Assault Survivor Protection Act of 2015"; authorizes the court to issue protective orders for victims of certain nonconsensual sexual conduct

**A-4089/S-2693 (Coughlin, Ciattarelli/Beach, Singer)** - Revises certain provisions of dental service corporation law

**A-4143/S-2514 (Lagana, Spencer, Mukherji, Johnson, Rumana, Rodriguez-Gregg, Gusciora, Mazzeo/Barnes, Addiego)** - Permits holders of certain alcoholic beverage licenses to be issued amusement game license and updates definition of recognized amusement park

**A-4144/S-2755 (Pintor Marin, Spencer, Caride, Quijano, Mukherji/Ruiz, Stack)** – Requires insurance producer licensing examination and registration materials to be offered in English and Spanish, and examination instructional materials to be available in Spanish

**A-4167/S-2751 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires DHS to notify enrollees in Programs of All-Inclusive Care for the Elderly of Medicare eligibility

**A-4168/S-2750 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires providers to submit to DHS expenditure details of enrollees in Program of All-Inclusive Care for the Elderly

**A-4169/S-2752 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires DHS to monitor utilization and billing of services for Medicaid home and community-based long-term care

**A-4333/S-3020 (Singleton, Gill)** - Exempts certain activities of alarm businesses from statutes governing practice of locksmithing

**A-4361/S-2891 (Johnson, A.M. Bucco, Garcia, S. Kean/Barnes, A.R. Bucco)** - Revises definition of all-terrain vehicles

**A-4375/S-3011 (Moriarty, Andrzejczak, Mazzeo, Mosquera, Quijano, Ciattarelli, Wimberly/Van Drew, Bateman)** - Upgrades crimes of false public alarm under certain circumstances and establishes reporting requirements concerning crime

**A-4485/S-2881 (Diegnan, Jasey, Wimberly, McKeon, Lagana/Gill, Turner)** - Prohibits withholding of State school aid based on student participation rate on State assessments

**A-4587/S-3049 (Greenwald, Lampitt, McKeon, Holley/Scutari, Cruz-Perez)** – Requires facilities providing services to persons with developmental disabilities and schools to adopt policies permitting administration of medical marijuana to qualifying patients

**AJR-64/SJR-82 (Schaer, Eustace, Lagana, Spencer, Caride, Mukherji/Pou, Ruiz)** - Declares August 16 of each year as "Dominican Restoration Day" in New Jersey

#### **BILLS VETOED:**

**S-929/A-1908 (Sweeney, Madden/Burzichelli, Riley, Moriarty)** – **ABSOLUTE** -Concerns certain workers' compensation supplemental benefits

**A-801/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco)** - **CONDITIONAL** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas

**A-947/S-2216 (Singleton, Lagana, Diegnan/Pennacchio, Rice)** – **CONDITIONAL** - Requires release of bid list prior to bid date under "Local Public Contracts Law"

**A-1468/S-2513 (Diegnan, Lampitt, Caride/Barnes, Ruiz)** – **CONDITIONAL** -Establishes Task Force on Engineering Curriculum and Instruction

**A-1726/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon)** – **CONDITIONAL** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and

floodplains

**A-2579/S-1510 (Mukherji, Pintor Marin, Eustace/Smith, Bateman) – CONDITIONAL** - Authorizes municipalities to facilitate private financing of water conservation, storm shelter construction, and flood and hurricane resistance projects through use of voluntary special assessments

**A-2771/S-452 (Johnson, Burzichelli, Pintor Marin, Mosquera/Ruiz, Cruz-Perez) – CONDITIONAL** - "The New Jersey Social Innovation Act"; establishes social innovation loan pilot program and study commission within EDA

**A-2906/S-2926 (Stender, Pinkin, Mazzeo/Whelan, Scutari) – ABSOLUTE** - Excludes from gross income compensation paid to members of district boards of election for services rendered in elections

**A-3223/S-2056 (Singleton, Lampitt, Quijano, Pintor Marin, Wimberly/Sarlo, Ruiz) – CONDITIONAL** - Requires Division of Local Government Services to include certain property tax information on division's web page

**A-3393/S-2167 (Spencer, Pintor Marin, Caputo, Tucker/Rice, Ruiz) – CONDITIONAL** - Permits Newark to use rental car tax proceeds over three-year period to help reduce its "cash deficit for preceding year" appropriation and operational deficit

**A-3421/S-2220 (Dancer, Mukherji/Singer) – CONDITIONAL** - Revises the "Self-Funded Multiple Employer Welfare Arrangement Regulation Act"

**A-3435/S-2503 (Garcia, Mukherji, Vainieri Huttie, Mainor, Eustace, Mosquera/Stack, Gordon) - CONDITIONAL** - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

**A-3500/S-1973 (Andrzejczak, Pinkin, Quijano/Van Drew, Beach) – ABSOLUTE** - Requires local recreation departments and youth serving organizations to have defibrillators for youth athletic events

**A-3954/S-2981 (Conaway, Singleton, Spencer, McKeon/Greenstein) – CONDITIONAL** - Requires maximum contaminant level to be established for 1,2,3-trichloropropane in drinking water

**A-3981/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) - CONDITIONAL** - "Casino Property Taxation Stabilization Act"

**A-3982/S-2573 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) – ABSOLUTE** - Requires holder of casino license to provide certain employees with certain health care and retirement benefits

**A-3984/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan) – CONDITIONAL** - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

**A-3985/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan) – CONDITIONAL** - Removes provisions of law relating to Atlantic City Alliance

**A-4018/S-2843 (Burzichelli, Caputo, Mazzeo/Sarlo, Whelan) – ABSOLUTE** - Authorizes operation of lottery courier services

**A-4218/S-2786 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez) - CONDITIONAL** - Revises certain laws concerning domestic violence and firearms

**A-4265/S-2783 (McKeon, Pintor Marin, Jasey, Caputo, Giblin, Tucker, Spencer, Oliver, Gusciora, Danielson/Codey, Ruiz, Rice) – ABSOLUTE** - Permits municipal, county, and regional police and fire forces to establish five-year residency requirement for police officers and firefighters; allows exceptions to requirement under certain circumstances

**A-4337/S-3008 (Schaer, Danielsen, Dancer, Sumter/Barnes) – ABSOLUTE** - Expands eligibility of inmates for medical parole and requires inmate's enrollment in Medicaid under certain circumstances

**A-4476/S-2876 (Conaway/Codey) - CONDITIONAL** - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State

**A-4607/S-3106 (Pintor Marin, Schaer, Oliver, Lagana, Johnson, Singleton/Ruiz, Cunningham) – ABSOLUTE** - Makes FY 2016 supplemental appropriations of \$6,500,000 and adds language provision

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9/21/2017

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